

*** NOT FOR PUBLICATION ***

NO. 25359

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

LOUIE M. CASPINO, Petitioner-Appellant

vs.

STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(S.P.P. NO. 02-1-0030)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the record, it appears that this court previously informed Appellant by letter that the time for filing the opening brief expired and that pursuant to Rule 30 of the Hawai'i Rules of Appellate Procedure, the matter would be called to the attention of the court for such action as the court deemed proper including dismissal of the appeal. Appellant having failed to file the opening brief by the extended deadline of April 21, 2004,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, July 7, 2004.